GOVERNMENT OF ANDHRA PRADESH

A B S T R A C T

Public Services – Agriculture & Cooperation Department – V&E Cases - Vigilance Report No. 25 – Allegations of irregularities in implementation of A.P. Micro Irrigation Project, Ongole, Prakasam District – Initiation of disciplinary proceedings, under A.P.Civil Services (CC&A) Rules, 1991, against Sri M.Venkateswarlu, the then Project Director, APMIP, Ongole, Prakasam District and presently working as Addl. Director of Horticulture, O/o Commissioner of Horticulture, A.P., Guntur - Articles of Charge – Issued.

AGRICULTURE AND CO-OPERATION (VIG.I) DEPARTMENT

G.O.Rt.No. 364 **Dated: 09/05/2024**

Read the following:

1. From the Director General (Vig. & Enft.) & E.O. Prl. Secy. to Govt., Vigilance Report No. 25 (489/V&E/NR.2/2011), dt.8.3.2013.
2. Govt. Memo No.4260/Vig.I(1)/2013-1, A & C (Vig.I) Dept., dt.22.04.2013 and reminders dt. 05.08.2014 & 06.07.2015.
3. From the Commissioner of Horticulture, A.P., Hyderabad, Letter No.Estt.I(2)46/2015, dt. 26.02.2016.
4. From the Commissioner of Horticulture, A.P., Hyderabad, Letter No.Estt.I(2)46/2015, dt. 26.02.2016 addressed to Commissioner & Registrar, Co-operatives, A.P., Hyderabad.
5. From the Commissioner of Horticulture, A.P., Guntur, Letter No.Estt.I(2)46/2015, dt.14.07.2017 & 20.07.2018.
6. Govt. Memo No.4260/Vig.I(1)/2013, A & C (Vig.I) Dept., dt.24.03.2021.
7. From the Commissioner of Horticulture, A.P., Guntur, Letter No.Estt.I(2)46/2015, dt.18.05.2021 addressed to Commissioner & Registrar, Co-operatives, A.P.,Guntur.
8. Govt. Memo No.4260/Vig.I(1)/2013, A & C (Vig.I) Dept., dt.26.10.2022.
9. From the Commissioner of Horticulture, A.P., Guntur, Letter No.Estt.I(2)46/2015, dt.11.11.2022.
10. D.O.Letter No.4260/Vig.I/2013, A & C (Vig.I) Dept., dt.18.08.2023.
11. From the CC & RCS, A.P., Guntur, No.AGC06-11031(45)/1/2021-SEVCS-CCRCS, dt.30.08.2023.
12. Govt. Memo No.4260/Vig.I(1)/2013, A & C (Vig.I) Dept., dt. 27.12.2023 & 16.04.2024.
13. From the Commissioner of Horticulture, A.P., Guntur, Lr.No.Estt-I(2)46/2015, dt.11.03.2024.
14. G.O.Rt.No.363, A&C (Vig.I) Dept., dt.09.05.2024.

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O R D E R:

It is proposed to hold an enquiry against Sri M.Venkateswarlu, the then Project Director, APMIP, Ongole, Prakasam District and presently working as Addl. Director of Horticulture, O/o Commissioner of Horticulture, A.P., Guntur, in accordance with the procedure laiddown in Rule 20 of the A.P.Civil Services (CC&A) Rules, 1991.

2. The substance of the imputations of misconduct or mis-behaviour in respect of which the inquiry is proposed to be held is set out in the enclosed statement of Articles of Charge (Annexure-I). Statement of imputation of misconduct or misbehaviour on which action is proposed to be taken against him as Annexure-II, a list of documents by which and a list of witnesses by whom the Article of Charge is proposed to be sustained are also enclosed as Annexure-III and IV.

3. Sri M.Venkateswarlu, the then Project Director, APMIP, Ongole, Praksam District and presently working as Addl. Director of Horticulture, O/o Commissioner of Horticulture, A.P., Guntur, is directed to submit a Written Statement of Defense (WSD) within (10)days of the receipt of this order.

4. Sri M.Venkateswarlu, the then Project Director, APMIP, Ongole, Praksam District and presently working as Addl. Director of Horticulture, O/o Commissioner of Horticulture, A.P., Guntur, is informed that an inquiry will be held only in respect of those articles of charge as are not admitted. He should therefore, specifically admit or deny each Articles of Charge.

(P.T.O.)

5. Sri M.Venkateswarlu, the then Project Director, APMIP, Ongole, Prakasam District and presently working as Addl. Director of Horticulture, O/o Commissioner of Horticulture, A.P., Guntur, is further informed that if he does not submit his Written Statement of Defense (WSD) on or before the date specified in para-3 above, or otherwise fails or refuses to comply with the provisions of Rule 20 of Andhra Pradesh Civil Services(CC&A) Rules, 1991 or the orders/directions issued in pursuance of the said rules,the Inquiring Authority may hold the inquiry against him ex-parte.

6. Attention of Sri M.Venkateswarlu, the then Project Director, APMIP, Ongole, Praksam District and presently working as Addl. Director of Horticulture, O/o Commissioner of Horticulture, A.P., Guntur, is invited to rule 24 of the A.P.Civil Services (Conduct) Rules,1964, under which no Government servant shall bring any political or outside influence to bear upon any superior authority to further his interest in respect of matters pertaining to his service under the Government. If any representation is received on his behalf from any other person in respect of any matter dealt with in these proceedings, it will be presumed that Sri M.Venkateswarlu, the then Project Director, APMIP, Ongole, Prakasam District and presently working as Addl. Director of Horticulture, O/o Commissioner of Horticulture, A.P., Guntur, is aware of such a representation and that it has been made at his instance and action will be taken against him for violation of rule 24 of the A.P.Civil Service (Conduct) Rules, 1964.

7. The receipt of this G.O. shall be acknowledged.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

GOPAL KRISHNA DWIVEDI
CHIEF COMMISSIONER, RBKs &
SPECIAL CHIEF SECRETARY TO GOVERNMENT

To:
Sri M.Venkateswarlu, the then Project Director, APMIP, Ongole,
Prakasam District and presently working as Addl. Director of Horticulture,
O/o Commissioner of Horticulture, A.P., Guntur.
(through the Commissioner of Horticulture, A.P., Guntur)

Copy to:
The Commissioner of Horticulture, A.P., Guntur.
(With a request to serve the original G.O. on the Charged Officer and obtain his dated acknowledgement on the Xerox copy and furnish the same along with his Written Statement of Defense (WSD) to the Government)
Sf/Sc.

// FORWARDED BY ORDER//

SECTION OFFICER

(Contd. Annexures...)

ANNEXURE-I

STATEMENT OF ARTICLES OF CHARGE FRAMED AGAINST SRI M. VENKATESWARLU, THE THEN PROJECT DIRECTOR, APMIP, ONGOLE, PRAKASAM DISTRICT AND PRESENTLY WORKING AS ADDL. DIRECTOR OF HORTICULTURE, O/o COMMISSIONER OF HORTICULTURE, A.P., GUNTUR.

ARTICLES OF CHARGE-I:

"That, Sri M. Venkateswarlu, while working as Project Director, APMIP, Ongole, Prakasam District, has diverted the funds of the APMIP Scheme and made fixed deposit to the tune of Rs.2,75,00,000/- during the year 2007 in various banks violating of APMIP Guidelines (Acconuting System). The Officer, while doing the transactions, has kept the Chairman-cum-District Colletor in dark and he himself has signed the cheques which he is not supposed to do.

The above acts of disobedience, insubordination and acts subversive of discipline of Sri M.Venkateswarlu, the then Project Director, APMIP, Ongole, Prakasam District, prove his 'misconduct', thereby attracting violation of Rule-3 of A.P.Civil Services (Conduct) Rules, 1964."

Sd/- Gopal Krishna Dwivedi
CHIEF COMMISSIONER, RBKs &
SPECIAL CHIEF SECRETARY TO GOVERNMENT

// FORWARDED BY ORDER//

SECTION OFFICER

(P.T.O)

ANNEXURE-II

STATEMENT OF IMPUTATION OF MISCONDUCT OR MISBEHAVIOUR IN SUPPORT OF THE ARTICLES OF CHARGE FRAMED AGAINST SRI M.VENKATESWARLU, THE THEN PROJECT DIRECTOR, APMIP, ONGOLE, PRAKASAM DISTRICT AND PRESENTLY WORKING AS ADDL. DIRECTOR OF HORTICULTURE, O/o COMMISSIONER OF HORTICULTURE, A.P., GUNTUR.

Basis of Charge:

The Director General (V & E) & E.O.Prl.Secy. to Govt. has submitted Vigilance Report No.25, dt.08.03.2013 with regard to verification of works of A.P. Micro Irrigation Project in Prakasam District in which he has stated that, as per the APMIP Guidelines (Accounting System), Part-I of Chapter-I(I)(4), funds should not be kept in Fixed/Term Deposits. All the existing Fixed/Term Deposits, if any, should be encashed and transferred to the respective scheme Bank Accounts. In deviation of the said guidelines, that Sri M.Venkateswarlu, the then Project Director, APMIP, Ongole, Prakasam District has diverted the funds of the APMIP Scheme and made fixed deposit to the tune of Rs.2,75,00,000/- during the year 2007 in various banks violating the existing rules. The Officer, while doing the transactions, has kept the Chairman-cum-District Colletor in dark and he himself has signed the cheques which he is not supposed to do.

Thus, Sri M.Venkateswarlu, the then Project Director, APMIP, Ongole, Prakasam District is not devoted and negligent in discharging his legitimate duties of the Project Director, APMIP and it shows his 'misconduct' and attracts violation of Rule-3 of A.P.Civil Services (Conduct) Rules, 1964. Hence, the Charge.

Sd/- Gopal Krishna Dwivedi
CHIEF COMMISSIONER, RBKs &
SPECIAL CHIEF SECRETARY TO GOVERNMENT

// FORWARDED BY ORDER//

SECTION OFFICER

(Contd.p.3)

ANNEXURE-III

LIST OF DOCUMENTS ON THE BASIS OF WHICH THE DRAFT ARTICLES OF CHARGE FRAMED AGAINST SRI M.VENKATESWARLU, THE THEN PROJECT DIRECTOR, APMIP, ONGOLE, PRAKASAM DISTRICT AND PRESENTLY WORKING AS ADDL. DIRECTOR OF HORTICULTURE, O/o COMMISSIONER OF HORTICULTURE, A.P., GUNTUR PROPOSED TO BE SUSTAINED.

Vigilance Report No.25 (C.No.489/V&E/NR.2/2011), Dt.8-3-2013 of General Administration (V&E) Dept.

Sd/- Gopal Krishna Dwivedi
CHIEF COMMISSIONER, RBKs &
SPECIAL CHIEF SECRETARY TO GOVERNMENT

// FORWARDED BY ORDER//

SECTION OFFICER

ANNEXURE-IV

LIST OF WITNESSESS BY WHOM THE DRAFT ARTICLES OF CHARGE FRAMED AGAINST SRI M.VENKATESWARLU, THE THEN PROJECT DIRECTOR, APMIP, ONGOLE, PRAKASAM DITRICT AND PRESENTLY WORKING AS ADDL. DIRECTOR OF HORTICULTURE, O/o COMMISSIONER OF HORTICULTURE, A.P., GUNTUR PROPOSED TO BE SUSTAINED.

-Nil-

Sd/- Gopal Krishna Dwivedi
CHIEF COMMISSIONER, RBKs &
SPECIAL CHIEF SECRETARY TO GOVERNMENT

// FORWARDED BY ORDER//

SECTION OFFICER